

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

KAREN MARIE WERMERS,

Plaintiff,

vs.

TENENT HEALTHCARE
CORPORATION, et al.,

Defendants.

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8:06cv539

MEMORANDUM AND ORDER

This matter is before the court on filing nos. 5 and 6, the Motions to Dismiss filed by two defendants, Creighton Saint Joseph Regional Healthcare System, LLC and Tenet Healthcare Corporation. The defendants' motions raise substantial issues of a nondiscretionary character, including insufficient service of process and the bar of the applicable statute of limitations, on the basis of which the defendants seek dismissal of the plaintiff's complaint. However, the defendants have failed to file a brief in accordance with NECivR 7.1(a)(1)(A) in support of their motions.¹ Therefore, the motions must be denied. Filing nos. 5 and 6 are denied, without prejudice to assertion of properly supported motions.

IT IS SO ORDERED.

DATED this 6th day of September, 2006.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge

¹For example, the court cannot determine from the record whether the defendants have been served, and if so, the nature of the alleged defect(s) in service of process. In addition, the defendants have not identified the applicable statute of limitations.